

REMARKS

Claim 2 was rejected under §112, second paragraph. The claim is amended. Withdrawal of the rejection is requested.

Claims 1 and 4 were rejected under §103 as obvious over Cyrus '605 in view of Raman '054. This rejection is respectfully traversed.

Raman. Raman discloses no electrical conductors passing through holes at a joint between two blocks (floor, wall, or roof), as the Applicant claims. The electricity only is present at the head (ceiling line) and foot (floor line) of the wall blocks (col. 1, line 71 to col. 2, line 6). The electricity never goes to any other block through a hole, much less going to another block through a hole formed between the blocks at a joint including projections and recesses. The electrical connection from one wall block to the next is by simple contact of the connectors at the corners ("abutting end-to-end relationship for establishing electrical connection", col. 2, line 4).

Raman discloses no projections and no recesses for joining blocks,¹ or for any other purpose, and therefore cannot disclose electrical connection through a hole at the connection between a projection and recess.

Also, in Raman there is no "wiring is provided through the hole *from an exterior* of the toy house model *to an interior* of the toy house model," as the Applicant claims. The electricity is provided to a floor-to-ceiling strip 70 which is mounted on the outside of the house (Fig. 1). The electricity passes from that strip to the upper (ceiling) conductive strip, along the top of the wall, and down the inside of the wall in the interior strip 100, then along the lower conductive strip and back out strip 70. It never goes through a hole while passing from exterior to interior.

¹ Raman does not use a floor foundation block but instead a "trough-like" foundation 52 (col. 2, lines 7-21 and Fig. 3). The wall blocks appear not to be attached to one another in any way, held only by the foundation 52 and the roof.

Cyrus. The Examiner points to Cyrus' elements 26 and 20 as anticipating the Applicant's claimed first and second projections.

Cyrus' "protrusion connectors" 26 (col. 8, line 18) are used to join beams 32 to columns 12 (see Fig. 8), and the "male fittings" 20 on tops of the columns 12 mate with female fittings on the bottoms of the same parts for column building and "to vary the height of the lattice 4" (col. 8, lines 7-13; the varied height is shown at the bottom of Fig. 1). The lattice is a "substructure" (e.g., Abstract) that supports a toy surface at various heights corresponding to the varied height of the lattice (Figs. 1-2).

The Examiner is invited to note that Cyrus' house, which is not important enough to have its own reference numeral (it appears to be one of the "components 10"), sits on a grid surface which is *not* the lattice substructure and which includes neither the columns nor the beams nor their fittings 26 and 20, and which is not described or even numbered. The fittings applied by the Examiner have nothing to do with attaching parts of the house together; indeed, the house appears to be an integral "component" without any means for assembly or disassembly.

Motivation. The Examiner asserts that it would have been obvious to provide electricity to the Cyrus building as suggested by Raman, to increase the play value. This is respectfully traversed on the basis that Raman is directed to landscaping, in which the house is just one feature. Lacking any windows or doors as it does (see Figs. 1-2), Cyrus' house would not benefit from Raman's lighting, which is all interior lighting: it would not be seen. As to electricity for other play value (no play value is disclosed by the art itself), no one can play with electricity inside a toy house that has no openings and apparently does not come apart.

Combination. Assuming for argument only that Raman had supplied motivation, the person of ordinary skill would have been unable to apply the vertical wiring strips of Raman to the integral Cyrus building, because the walls apparently do not separate from the house and the

Raman wiring strips could not have been applied to the walls. Therefore the asserted combination is seen to lack the required expectation of success (MPEP §§ 2143, 2143.02).

Furthermore, if the beams 32 of Cyrus (which the Examiner equates to walls) were wired as are the wall blocks of Raman (this is not at all suggested), then, again, the electricity would be useless and any light would not be seen.

Reconsideration Is Requested. The Applicant respectfully submits that no combination of the references (combination is not suggested) could reach the instant claims, because neither reference discloses:

(1) *a floor foundation block ... including a first projection formed on a major surface of the floor foundation block to be combined with another block of a type different from the floor foundation block, and including a second projection and a second recess formed on a side surface oriented perpendicular to the major surface, to be combined with another block of the same type as the floor foundation block* (Raman has no foundation block, and if Cyrus does then the claimed top side features are mere guesswork based on Cyrus' drawing; and the claimed side features are certainly lacking);

(2) *a wall block constituting a wall portion of the toy house model and including a first recess fitting to the first projection of the floor foundation block* (Cyrus has no such block and Raman's lacks the recesses);

(3) *a roof block constituting a roof portion of the toy house model, the roof block being made of a plurality of structural block groups combined vertically and horizontally* (neither reference shows this feature);

(4) *wherein a hole for connecting the blocks combined by connection between the respective projection and the recess is formed at each jointing portion between the respective blocks* (not in either reference, as discussed above); or

(5) wherein a wiring is provided through the hole from an exterior of the toy house model to an interior of the toy house model (also, as discussed above, not in either reference).

The advantages provided by the claimed structure, such as the ability to join two floor foundation blocks together, are not provided by the prior artisans.

Withdrawal of the rejection is requested.

Claim 3 was objected to but deemed allowable. Claim 3 remains dependent pending the Examiner's consideration of the arguments above.

Respectfully submitted,

September 29, 2006
Date


Nick Bromer (Reg. No. 33,478)
(717) 426-1664
RABIN & BERDO, P.C.
CUSTOMER NO. 23995
Telephone: (202) 371-8976
Telefax : (202) 408-0924